

January 19, 2006

DECISION AND ORDER  
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: January 10, 2006

Case Number: RB272-10014

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate are now eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). Refunds are rounded to the nearest dollar.

In order to receive a supplemental refund check, applicants are required to verify that their name and address in our records are correct, to correct any information that is not accurate, and to verify whether the refund cannot be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

This decision approves supplemental refunds for the applicants listed in the Appendix to this decision. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 88 applicants, totaling \$35,677.00.

It Is Therefore Ordered That:

(1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to P.L. McMickle, CPA, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$35,677.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.

(2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.

(3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information  
Office of Hearings and Appeals  
Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585-0107

(4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.

(5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

George B. Breznay  
Director  
Office of Hearings and Appeals

Date: January 19, 2006

**Appendix - Supplemental Refund Case No. RB272-10014**

<b>Case No.</b>	<b>Firm</b>	<b>Volume</b>	<b>Refund</b>
RF272-78650	M. STEINERT & SONS CO., INC.	225,320	\$157.00
RF272-78651	CITY OF REDWOOD CITY	1,147,756	\$798.00
RF272-78652	S.E. INDIANA RURAL ELECTRIC	407,679	\$283.00
RF272-78653	CROWDER CONSTRUCTION	662,472	\$461.00
RF272-78654	P.T. FERRO CONSTRUCTION CO.	641,146	\$446.00
RF272-78655	NAVAJO COUNTY	416,952	\$290.00
RF272-78656	ANCHOR HOCKING CORP.	554,466	\$386.00
RF272-78657	TOWN OF COLONIE HWY. DEPT.	376,165	\$262.00
RF272-78658	CITY OF CROSSVILLE	543,951	\$378.00
RF272-78659	CITY OF PASCAGOULA	1,401,186	\$974.00
RF272-78677	TOWN OF HOLDEN	497,377	\$346.00
RF272-78679	CITY OF CYNTHIANA	336,557	\$234.00
RF272-78681	DUNDEE CITRUS GROWERS ASSN.	449,737	\$313.00
RF272-78684	BENEFICENT HOUSE	417,942	\$291.00
RF272-78685	WILL POULTRY CO.	897,357	\$624.00
RF272-78688	SNS STEAM CORP.	1,437,503	\$1,000.00
RF272-78690	CONCORDIA MFG. CO., INC.	470,195	\$327.00
RF272-78691	FONTANA STEEL	306,202	\$213.00
RF272-78692	WATERTOWN HOUSING AUTHORITY	926,191	\$644.00
RF272-78693	PORT ARTHUR I.S.D.	378,830	\$263.00
RF272-78694	COAST PACKING CO.	365,883	\$254.00
RF272-78696	LONE STAR STEEL	975,205	\$678.00
RF272-78861	SOMERVILLE HOSPITAL	808,244	\$562.00
RF272-78862	TUBE BENDS, INC.	12,283	\$9.00
RF272-78863	CONNECTICUT STAMPING & BENDING	235,030	\$163.00
RF272-78865	DRAYTON HALL TRUST	101,912	\$71.00
RF272-78866	SUSSEX COUNTY COMMUNITY COLLEG	367,171	\$255.00
RF272-78909	CHARLES RAY HILL	1,451,053	\$1,009.00
RF272-79050	VERY FINE PRODUCTS, INC.	580,603	\$404.00
RF272-79055	CITY OF ROCKFORD	349,399	\$243.00
RF272-79056	COUSINS PROPERTIES INC.	429,858	\$299.00
RF272-79059	EVERGREEN TRAILS, INC.	767,086	\$533.00
RF272-79061	TOWN OF STURBRIDGE	549,557	\$382.00
RF272-79062	K & M CONSTRUCTION CO.	817,443	\$568.00
RF272-79063	NELSON & CO., INC.	536,800	\$373.00
RF272-79064	MONTEREY COUNTY	1,365,847	\$950.00
RF272-79065	JACK M. BERRY GROVE CORP.	261,718	\$182.00
RF272-79067	CITY OF SHAFTER	166,804	\$116.00
RF272-79068	BOROUGH OF HO-HO-KUS	188,623	\$131.00
RF272-79073	SOUTHEAST LOCAL SCHOOL DIST.	524,666	\$365.00
RF272-79075	LANCASTER COUNTY SCHOOL BOARD	824,965	\$574.00
RF272-79076	UPPER DARBY SCHOOL DIST.	796,651	\$554.00
RF272-79077	JACKSON COUNTY SCHOOL BOARD	1,373,993	\$955.00
RF272-79078	WYOMING VALLEY W. SCHOOL DIST.	422,112	\$294.00
RF272-79079	LAMAR CONSOLIDATED I.S.D.	973,555	\$677.00
RF272-79080	CINNAMINSON TOWNSHIP EDUCATION	555,711	\$386.00
RF272-79084	FAIRFIELD UNION LOCAL SCH DIST	430,664	\$299.00
RF272-79087	TOWNSHIP OF JEFFERSON	1,310,020	\$911.00
RF272-79089	PICKENS COUNTY COUNCIL	1,329,935	\$925.00

RF272-79092	VILLAGE OF CANTON	126,726	\$88.00
RF272-79093	BELAIR ROAD SUPPLY CO., INC.	159,238	\$111.00
RF272-79094	STOCK BUILDING SUPPLY	751,090	\$522.00
RF272-79096	CITY OF RIVIERA BEACH	921,463	\$641.00
RF272-79099	CITY OF LIVINGSTON, TEXAS	548,216	\$381.00
RF272-79104	MARTIN LUMBER CO.	170,799	\$119.00
RF272-79108	AGRICULTURAL LAND SERVICE	581,682	\$404.00
RF272-79115	POSH CONSTRUCTION INC.	383,684	\$267.00
RF272-79116	FRANZIA BROTHERS WINERY	602,371	\$419.00
RF272-79117	SALVATION ARMY, INC.	257,308	\$179.00
RF272-79121	AIR BROOK LIMOUSINE, INC.	347,820	\$242.00
RF272-79122	CITY OF WARNER ROBINS	626,406	\$436.00
RF272-79123	TOWN OF CONCORD HWY. DEPT	539,437	\$375.00
RF272-79124	OWENSBORO GRAIN CO.	776,846	\$540.00
RF272-79127	MAGNOLIA LIQUOR CO.	786,371	\$547.00
RF272-79128	EAST LONGMEADOW POLICE DEPT.	169,779	\$118.00
RF272-79130	BUCKNELL UNIVERSITY	313,778	\$218.00
RF272-79132	BODYCOTE THERMAL PROC.	329,416	\$229.00
RF272-79133	CANTEEN SERVICE	338,865	\$236.00
RF272-79134	CANTEEN CORP.	335,707	\$233.00
RF272-79135	SALVATION ARMY, MEN'S SOCIAL	332,426	\$231.00
RF272-79136	ALAN G. CRUSE INC.	176,099	\$122.00
RF272-79138	NASH-ROBINSON & CO.	308,206	\$214.00
RF272-79195	PRIMA ASPHALT CONCRETE INC.	1,331,126	\$926.00
RF272-79413	SAN RAFAEL CITY HIGH	448,813	\$312.00
RF272-79414	SAN RAFAEL CITY ELEMENTARY	654,066	\$455.00
RF272-80140	GIDDINGS & LEWIS	1,274,911	\$887.00
RF272-80342	OUTLET COMMUNICATIONS, INC.	497,794	\$346.00
RF272-80908	ELM HILL MEATS, INC.	451,117	\$314.00
RF272-80911	CITY OF DEER PARK	1,091,941	\$759.00
RF272-80912	BORNHOFT CONCRETE PRODUCTS	83,325	\$58.00
RF272-81109	HOPKINS COUNTY FISCAL COURT	500,195	\$348.00
RF272-81375	TOWNSHIP OF BRIDGEWATER	991,500	\$689.00
RF272-81378	HIDALGO COUNTY	98,873	\$69.00
RF272-82097	INSTITUTIONAL JOBBERS	996,119	\$693.00
RF272-82098	HILLANDALE FARMS, INC.	192,554	\$134.00
RF272-84688	ST. MARK'S EPISCOPAL CHURCH	32,882	\$23.00
RF272-84689	LEONARD J. QUARTIN	356,063	\$248.00
RF272-86607	BROOKE COUNTY BD. EDUCATION	1,052,615	\$732.00
<b>Totals</b>	<b>88 Applicants</b>	<b>51,305,402</b>	<b>\$35,677.00</b>